IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Revision No. 2085 of 2006.
Date of Decision: May 14, 2007.

Amitoz Kaur

....Petitioner

through
Mr. Sumeet Goel, Advocate

Versus

State of Haryana & others

...Respondents
through
Mr. R.D.Sharma, DAG, Haryana.
Mr. Vinod Bhardwaj, Advocate
for complainant-respondent No.2.

CORAM:

HON'BLE MR. JUSTICE SURYA KANT.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT,J.(ORAL)

This revision petition is directed against the order dated 14.9.2006 passed by learned Sub Divisional Judicial Magistrate, Guhla, whereby the petitioner has been summoned under Section 319 Cr.P.C. to face trial in a case arising out of FIR No.98 dated 21.8.2004, under Sections 406, 498-A, 506/34 Indian Penal Code, registered at Police Station Guhla.

Facts may be briefly noticed.

Respondent No.2 Kulvinder Kaur was married to Amarjit Singh on 27.2.2002. After a few days of their marriage, Amarjit Singh went abroad and never returned thereafter.

As per the allegations, respondent No.2-complainant stayed for some time with her in-laws; they allegedly caused harassment to her due to non-fulfillment of their demand for dowry. This prompted the complainant to lodge an FIR in question against

her in-laws and other family members.

The petitioner herein is unmarried younger sister of the husband of the complainant. One of the contention raised on her behalf is that she was born on 4.5.1986 and was hardly 15 years of age at the time when the complainant got married to her brother.

The allegations, as contained in the FIR pertain to the post marriage period. There is a specific allegation against the petitioner that she gave beatings to the complainant by a Danda. The impugned order reveals some evidence led by the complainant in support of the aforesaid allegations.

After hearing learned counsel for the parties and having regard to all the attending circumstances, it appears difficult to form a definite opinion with regard to innocence of the petitioner at this stage.

Consequently, , no interference is called for.

However, keeping in view the plea taken by the petitioner that she is an unmarried student, it is directed that in case, she after surrender before the learned trial Court, moves an application for grant of exemption from personal appearance, her request shall be accepted by the learned trial Court, however, subject to fulfilling the conditions, which may be imposed by the learned trial Court and also furnishing bail bonds to the satisfaction of learned trial Court, upon which, she will be admitted to regular bail.

Disposed of.

May 14, 2007. **(SURYA KANT)**
sanjeev **JUDGE**